

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JACK STEIN,

Petitioner,

v.

JAMES SPAULDING,

Respondent.

Case No. C04-5499FDB

ORDER DENYING  
RECONSIDERATION

This Court adopted the Report and Recommendation in this matter on June 6, 2005 and Petitioner moved for reconsideration. The R&R recommended that this habeas corpus petition be dismissed without prejudice as unexhausted. Petitioner attempted to overturn his 2004 conviction on three counts of attempted murder and one count of burglary arguing that a re-trial should not have taken place.

Petitioner traces his view of the procedural history of his case, his allegations that there have been conspiracies against him throughout the process of his case, and he continues to assert that his claims have been exhausted.

Having considered Petitioner's motion, reviewed the record herein, including the subject Report and Recommendation, Petitioner's motion is not persuasive, and reconsideration will be denied.

ACCORDINGLY, IT IS ORDERED: Petitioner's Motion for Reconsideration [Dkt. # 56] is DENIED.

DATED this 15<sup>th</sup> day of July, 2005.



FRANKLIN D. BURGESS  
UNITED STATES DISTRICT JUDGE